

751—11.3(8D) Access to fiberoptic termination site room. For Part I and Part II fiberoptic termination sites, the commission shall determine which entities shall have access to the fiberoptic termination site room and shall notify each authorized facility in writing as to the extent and nature of equipment placement in the fiberoptic termination site room or as otherwise allowed by written agreements in existence prior to December 1, 1996, or by state or federal law. Unauthorized equipment will be disconnected from any connections contained in the fiberoptic termination site room after 30 days' written notice to the owner sent by certified mail return receipt requested from the commission advising the owner that the presence of its equipment in the fiberoptic termination site room is unauthorized. Unauthorized equipment must be removed by the equipment owner within 90 days of written notice sent by the commission to the owner. If the equipment is not removed within this time period, the commission will remove the equipment and charge the owner the cost of the removal. When a commission fiberoptic termination site room is co-located in shared use facilities, the commission will negotiate an agreement with the authorized user that determines which entities have access and the procedures for access. Preexisting agreements (before December 1, 1996) for commission equipment placement between authorized users and the commission (or the department of general services) will be honored. The commission and authorized users may negotiate new agreements for equipment placement.